

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-107-T - ORDER NO. 2009-314

MAY 14, 2009

IN RE: Petition of the Office of Regulatory Staff for)	ORDER REVOKING
Commission to Order a Rule to Show Cause)	CERTIFICATES
as to Why the Certificates of Public)	
Convenience and Necessity for Certain)	
Motor Carriers Should Not Be Revoked for)	
Non-Payment of License Fees)	

This matter comes before the Public Service Commission of South Carolina (“the Commission”) by way of the Petition of the Office of Regulatory Staff (“ORS”) to revoke Certificates of Public Convenience and Necessity of certain motor carriers for non-payment of license fees. ORS’s Petition was filed with the Commission on March 4, 2009. As set forth in S.C. Code Ann. §58-23-10, et seq. (Supp. 2008), the Commission is responsible for the regulation of motor vehicle carriers operating for compensation and pursuant to S.C. Code Ann. §58-4-10, et seq., the ORS is charged with the duty to protect the public interest.

The ORS developed a list of the motor carriers operating in violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law in respect of failure to pay license fees and such list was attached as Exhibit A to ORS’s Petition. At the hearing on May 6, 2009, the ORS submitted into the record an updated Revised Exhibit A dated May 5, 2009, advising the Commission that several companies listed on

the original Exhibit A to its Petition had come into compliance and requested dismissal of this action against those companies.

A formal hearing regarding this matter was held at the Commission offices on Wednesday, May 6, 2009, at 2:45 p.m. ORS was represented by Shealy Boland Reibold, Esquire. Ms. Carole Chauvin, a Program Specialist in ORS's Transportation Department, testified for the ORS.

At the hearing, Ms. Chauvin presented testimony that as of March 3, 2009, 44 motor carriers failed to pay their semi-annual license fees required by S.C. Code Ann. §58-23-560 (Supp. 2008). These fees were due to the Commission on January 1, 2009. Further, Ms. Chauvin testified that the ORS's Revised Exhibit A, dated May 5, 2009, listed the 17 companies which remained out of compliance for not having paid their license fees as of the date of the hearing. ORS submitted this Revised Exhibit A into the record of the hearing as Hearing Exhibit 2. Additionally, the ORS stated in its Petition, and Ms. Chauvin testified, that the ORS notified the companies, via mail, of their failure to pay the license fees owed on January 1, 2009. Ms. Chauvin further testified that a list of the carriers was forwarded to each ORS Inspector, and the Inspectors were instructed to contact each carrier in the area of his/her responsibility.

The Commission finds that the Certificates of Public Convenience and Necessity held by the carriers which are the subject of this petition (attached as an Appendix to this Order, labeled "Revised Exhibit A – May 5, 2009") should be revoked and canceled for their continued willful violation of the Commission's Rules and Regulations and/or the South Carolina Vehicle Carrier Law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

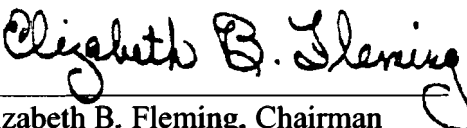
1. That the Certificates of Public Convenience and Necessity held by those 17 motor vehicle carriers listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.

2. That all operating rights authorized under the Certificates held by the carriers listed in the attached Appendix and cancelled by this Order are null and void.

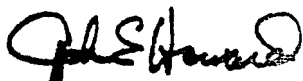
3. That this petition be, and hereby is, dismissed with respect to all carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:



John E. Howard, Vice Chairman

(SEAL)

No.	CERT TYPE	CERT #	DOCKET #	NAME	DBA	ADDRESS1	CITY1	STATE1	ZIP CODE 1
1	NON- EMERGENC Y	7617	2005-298-T	AMERICAN INVESTIGATIVE SERVICES, LLC		514 PETTIGRU STREET	GREENVILLE	SC	29601
2	TAXI	7651	2005-372-T	ARTHUR SUMTER JR.		313 CHARLOTTE STREET	FLORENCE	SC	29506
3	CHARTER	7732	2006-210-T	BERNARD SMALLS	CHARLESTOWN TRANSPORTATION	5796 MELVIN WASHINGTON DRIVE	RAVENEL	SC	29470
4	CHARTER	8030	2008-317-T	CHARLESTON LONDON CAR, LLC		16 BROUGHTON ROAD	CHARLESTON	SC	29407
5	TAXI	7968	2008-102-T	DANNY O. GRAHAM	STANDARD CAB	2994 DOSSIE ROAD	CONWAY	SC	29526
6	TAXI	7676	2005-366-T	DAVID COLLINGTON	D C TAXI	2101 WINYAH STREET	GEORGETOWN	SC	29440
7	TAXI	8016	2008-272-T	DEMOND MCELVEEN	TRI COUNTY TAXI CO.	2409 OTRANTO ROAD	CHARLESTON	SC	29406
8	TAXI, CHARTER, NON-EMER	7886, 7887, 7888	2007-304-T, 2007-305-T, 2007-306-T	EAST COAST TRANSPORTATION, LLC		607 MYERS ROAD	SUMMERVILLE	SC	29483
9	TAXI & CHARTER	7373, 7351-A	2003-191-T, 2003-49-T	HENRY G. YOUNG, JR.	COME CORRECT COACH	1517 ELLIS AVE.	ORANGEBURG	SC	29115
10	CHARTER	7820-A	2007-98-T	JLS, LLC		15729 COLLEGE BLVD	LENEXA	KS	66219
11	TAXI	7722	2006-165-T	JULIUS CUTTINO JR		1806 TOKEN STREET #3	CHARLESTON	SC	29405
12	TAXI	7777	2007-35-T	LEATHA M. HAYNESWORTH		9 EAST LIBERTY STREET	SUMTER	SC	29150
13	CHARTER	7136-A	2001-270-T	MERRY TRAVELERS, INC.		PO BOX 507	DRAYTON	SC	29333
14	CHARTER	7825	2007-165-T	OCCASIONALLY YOURS LIMOUSINE SERVICE, LLC		904 BURLINGTON DRIVE	EVANS	GA	30809
15	TAXI	7113	2001-240-T	ROGER VESTAL	BLUFFTON TAXI	PO BOX 2011	BLUFFTON	SC	29910
16	CHARTER	6799	1999-274-T	VIRGIL GRAHAM	PHOTOGRAPHY/SAFARI TOUR	PO BOX 6799	MYRTLE BEACH	SC	29572
17	TAXI	7261	2002-213-T	WILLIE GREEN & REGINALD GREEN	GREEN TAXICAB SERVICE	1156 WILSON STREET	ORANGEBURG	SC	29115

